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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

Adam Paul Blomdahl,
Plaintiff,

v.

Cuevas, et al.,
Defendants.

No. CV 22-00094-PHX-MTL(DMF)

ORDER

Plaintiff Adam Paul Blomdahl is confined in the Maricopa County Jail. He filed a *pro se* Complaint under 42 U.S.C. § 1983. (Doc. 1.) Before the Court is Plaintiff's Emergency Motion for Injunctive Relief (Doc. 26). The Court will deny the Motion.

I.

On screening under 28 U.S.C. § 1915A(a), the Court determined that Plaintiff stated an excessive force claim against Defendant Cuevas based on Plaintiff's allegations that Cuevas used excessive force on Plaintiff on September 14, 2021, and an unconstitutional medical care claim against Defendant Maestas* based on Plaintiff's allegations that Maestas refused Plaintiff medical treatment for injuries Plaintiff sustained due to Cuevas's use of excessive force. (Doc. 6.) The Court dismissed the remaining claims and Defendants. (*Id.*)

* This Defendant was named as Defendant "Chelsea" and the Court referred to her as Defendant Chelsea in the Screening Order, but the docket has since been updated to reflect that her name is Chelsie Maestas.

II.

Although the basis of Plaintiff's Motion is not entirely clear, Plaintiff appears to contend that he wants to "self-quarantine" to protect himself against COVID-19 and non-Defendant MCSO and MCSO officers are nonetheless forcing him to have cellmates. Plaintiff further appears to contend that when he refuses cellmates, he is threatened with the use of force. Plaintiff seeks an "emergency injunction for relief from MCSO/Defendants policy to force cell inmates, using threats and excessive force or deprivation." (Doc. 26 at 6.) Defendants respond that the Court lacks jurisdiction over Plaintiff's requested relief because he seeks relief unrelated to the claims in the underlying complaint and has not alleged a constitutional violation. (Doc. 29.) In Reply, Plaintiff appears to assert that his claim for injunctive relief is related to his underlying claims because prior to the alleged use of excessive force, it was Defendants who were trying to misclassify him as "GP." (Doc. 31.)

The Court lacks jurisdiction over claims for injunctive relief that are not related to the claims pleaded in the operative complaint. *See Pac. Radiation Oncology, LLC v. Queen's Med. Center*, 810 F.3d 631, 636 (9th Cir. 2015) ("[w]hen a plaintiff seeks injunctive relief based on claims not pled in the complaint, the court does not have the authority to issue an injunction"); *see also Devose v. Herrington*, 42 F.3d 470, 471 (8th Cir. 1994) (per curiam) (a party seeking injunctive relief must establish a relationship between the claimed injury and the conduct asserted in the complaint); *see also Prince v. Schriro, et al.*, CV 08-1299-PHX-SRB, 2009 WL 1456648, at *4 (D. Ariz. May 22, 2009) (unless a claim concerns access to the courts, the Plaintiff must show a nexus between the relief sought and the claims in the lawsuit.).

Here, although Plaintiff attempts to relate the claims against Defendants to his current request for injunctive relief, in its Screening Order, the Court recognized no claims against Defendants relating to Plaintiff's housing status. Accordingly, the Court lacks jurisdiction to grant Plaintiff the relief he requests. Moreover, the basis of Plaintiff's request is unclear as Plaintiff has made no showing that simply housing him with a cellmate

1 constitutes a threat to safety and there are no allegations or showing that Defendants have
2 any authority over Plaintiff's housing status or have control over who is housed with
3 Plaintiff.

4 **III.**

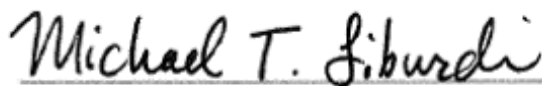
5 For all the foregoing reasons, Plaintiff's Motion seeking injunctive relief is denied.

6 **IT IS ORDERED:**

7 1. The reference to the Magistrate Judge is withdrawn as to Plaintiff's
8 Emergency Motion for Injunctive Relief (Doc. 26).

9 2. Plaintiff's Emergency Motion for Injunctive Relief (Doc. 26) is **denied**.

10 Dated this 22nd day of September, 2022.

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14 Michael T. Liburdi
15 United States District Judge
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